

THE KENTUCKY GAZETTE.

No. 796.]

FRIDAY, December 18, 1861.

[Vol. XV

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KENTUCKY LEGISLATURE.

HOUSE OF REPRESENTATIVES.

Debate on Mr. Grundy's Resolution for establishing Circuit Courts, continued from our last.

Wednesday, November 18.

Mr. LOGAN remarked that the most proper way in which the question before the committee could be decided would be to investigate general principles, and to apply them to the point under consideration. He was much pleased with the manner in which the debate had been conducted, and complimented Mr. Hughes on the good temper he had shewed, which was to be favorable to the attainment of truth—for without coolness and moderation, it was impossible that the committee should come to a fair and dispassionate conclusion. The committee ought to enquire whether the present or the proposed system would conduce most to the general weal of the country. We ought to establish that kind of laws which will be equal to all descriptions of men, so that all men, whether they be poor or wealthy, may come under the same general principle of the laws.

Republican governments ought to be founded in the affections and love of the people; for they derive their strength from them. The laws must not favor one, to the detriment of another. But though the laws be equal, and the people have the same general rights; yet if the administration of the law be partial, the people can only be said to have the shadow of justice and equal laws—for the fruits of them are distributed with a partial hand.

It will never satisfy the people, to hold up to them the idea that they have the same rights and laws, when in their operation they extend to a particular description of men or to a particular part of the country. They may bear it for a while; and if the majority be benefited by it; they may be able to keep up the system, for some length of time; but it will not do for any long period when the rest of the people are kept in uneasiness. It will not do to tell the people, that they must pay and bear an equal proportion in the expense of their inferior and superior courts; but yet that they shall not reap the benefit of the latter, but only for the former. Will such language suit a republican government? It is immaterial whether the system be partial in its original principle or in its operation, or whether it be to favor individuals or towards bodies of men and particular parts of the country. The discontent of the people must be the same, and it must and will in time break out. If you would have your people contented and happy, if you would have your government permanent; let the people see that the government bears equally upon them, and that it is founded on the solid principles of equal justice.

We are told by the gentleman from Fayette, that it is necessary to support this kind of courts. Non-residents, he says, will not confide in the inferior courts, and therefore they will go to the federal court. But suppose you should offer them the very best kind of superior courts; will people at a distance prefer them to the federal court? Suppose any one of our citizens were about to bring a suit in another state, against a citizen of that state, would he bring his suit in the state court or in the federal court? Certainly in the latter. There will always be a supposition to be in a state court, some predilection for its own state, some partiality for its own state, for the citizens thereof. A suitor not connected with the state, will consequently prefer bringing his cause into a court where those prejudices cannot operate. Again a non-resident will not merely enquire which court will be cheapest and most convenient to himself, but likewise which will be most inconvenient to his adversary, and afford him the chance of appealing to some court out of the state. But after all, why are we to consult the interests and convenience of non-residents so much? It is not for them that we should legislate, but for our own citizens.

This system of courts which we now have and which gentlemen are so fond of, is like the law of primogeniture.—This law made one part of the family great and rich, in order to keep up the splendor & show of the family, though the greater part should thereby be reduced to poverty.—Your district courts likewise give pre-eminence and distinction to some of your

counties, whilst others are harassed and oppressed by the system. But let us attend a little more minutely to the present plan of our courts. And first as to our quarter session courts. However, they might have answered at first,—it is very obvious that they do not now answer the purpose for which they were intended. It can be no reflection on any man, to say that he is not proficient in an abstruse science which he never studied. Our quarter session justices, have not made the law their study; how then can they be expected to be fit for the office of judges? Law may be compared to the vices and wickedness of mankind, as medicine is to the infirmities of their bodies. It would be absurd to call on a man who never studied physic, to administer without measure, without rule, and without guide, medicine to our different diseases. It is surely the same in law. The judge who has never studied law must be incompetent to legal adjudication. He cannot apply principles with any degree of propriety, to the particular principles which present themselves to his decision: for he has no idea of the principles, the measures and rules by which to apply them. Justice will be administered one way to one man, and on accounts, perhaps, of some slight but an important shade of difference, it will be administered in another way to another man.—Hence that very uniformity which gentlemen were so strenuous for, would be destroyed. Indeed it is well known that this is the case. Every one must be sensible that this is the case. The quarter session courts will decide one way on a question before them, and again on a question which depends exactly on the same general principles, decide another way. The court decides, but their decision has no influence on a court which has before it the very same principle.—They decide otherwise. A third court takes a medium way: and a fourth probably decides differently from all.—Hence arises the multiplicity of appeals and writs of error. A man of legal knowledge on the other hand, would decide the same in one court as in another, and understanding the principles upon which a decision was made, and on which an appeal, or writ of error was granted, would learn from hence and from the decision in the court of appeals, how to act in similar cases in future.

But, says the gentleman from Fayette, important and intricate questions are adjourned to the general court. A similar institution would have the same effect on the proposed system. And why was the district court established? Certainly because the quarter session courts were not competent. But is it not tampering with men and imposing upon their understandings to tell them that quarter session courts are incompetent, and yet they will do for the greater part of the country? We tell them that three plain, good, honest men are best to decide, and yet that it is necessary that some parts of the country should have learned judges. For what purpose are these courts established, but to serve rich men in the old, populous and interior counties? If it be a good and sound principle that district courts are necessary; the principle applies universally, and all ought to have district judges. But men calculated for the office, it seems cannot be got. But why cannot they be got for circuit courts as well as for districts? Indeed it is a mere fallacy to say that even 15 judges cannot be got, if they should be wanted, who in the general would be equal in point of legal information to the district judges. Eight judges, in addition to the present ones, would make that number—whereas but three are contemplated. In fact the argument is a no force in it. It is only intended to confuse the business by saying that it cannot be done, without enquiring into the reason, why it cannot. It is intended the district courts should be increased several in number; it is therefore, presumable the present number of judges ought also to be increased in the same proportion. Hence it is inferred that several persons can be had qualified to act as district judges, in addition to the present number, but not as circuit judges. It is alleged that two judges will be necessary in a circuit court. And yet, does not one judge constitute a district court? Does not one judge often decide? But how does this affair of two judges stand? Let us suppose that the two judges concur. Each of them as individuals, has the same opinion. Is the opinion better, because it happens to be professed by two men?

If the opinion be a sound one; it is no better for being pronounced by two judges. If it be otherwise; their joint concurrence in it, does not give it value. But if instead of concurring, those two judges differ from each other; what advantage then results from there being two? Nothing is done: delay and vexation are the only consequences.—Nor are there fewer appeals with two judges than with one. Let it be remembered, however, after all, that the present system requires but one judge; in this respect it stands on the same footing as the proposed one.

But it is said, that good lawyers cannot be had for the numerous courts which will exist under the proposed arrangement. But supposing the new system to be established; is it not probable that our good lawyers will branch themselves out a little? Depend upon it, that where there is business, there will be lawyers—they are not to regard of their interest, as to enlarge themselves from the places where they can make money; and let it be considered whether it be better to establish a system which will make it the interest of the lawyers to follow the business, or to be so complaisant to them as to make the business follow the lawyers?

It is again said that many appeals and writs of error will be the consequence of the change. But these evils may be owing to the clerks more than the lawyers,—or it will be found that as many have gone from the districts as from the quarter session courts.

As to criminal cases,—is it not much more reasonable that a man should be tried in the county where the crime was committed,—from whence the jury is to be summoned, and from whence probably the greater part of the witnesses, must come; than that the accused, and the jury, and the witnesses, should all be carried out of the county to a distant place? This plan can in no case save expense: in many cases it will increase it. Let it be supposed that a man is accused of a crime, in Logan district, some where on this side of Logan county. He must, according to the present regulations, be sent down for trial to Logan court-house, though if convicted he must be brought all the way back again, if it be in the direction to the penitentiary house.

We are told, indeed, of guards.—But are not guards as necessary to all our present jails as they would be to the federal county jails? Not to say that it is an opinion held by our great lawyers, that all offences are bailable, except murder of the first degree. On the score of example which was spoken of by the gentleman last up, the argument is clearly against him. For surely the example will be more striking and more operative, when the trial is had and the sentence passed near where the fact was, committed than where it is known only by distant report.—Besides, the example would be more diffused; it would be in the different counties, instead of being made in a few places.

The gentleman took a brief view of some other arguments used by Mr. Hughes and was decidedly of opinion, that the advantages of good government ought to be distributed with an equal and impartial hand,—that if a system cannot be supported on a certain scale throughout the country, it ought to be reduced,—and that it would be better to have one uniform judiciary, than two of almost concurrent jurisdiction of different orders, and one often partial. It was true, he observed, that radical changes should not lightly be adopted: but the inconvenience, the partiality, the oppression and the danger to the public tranquility accompanying the present system, were so great, that the change was absolutely necessary to the stability of the government and to the happiness of the people. Before he concluded he noticed what had been said of the want of books at the proposed circuit courts, and thought it strangely inconsistent, that a learned judge, familiarized to the study of the law, should be thought incapable of making a decision without his books at his elbow, and yet that a quarter-session justice, without education, and just emerged from the mists of the people, should be considered as fully competent to decide as it were intuitively on legal questions of the greatest difficulty.

(To be continued.)

I DO hereby forewarn all persons from having any dealings with my wife BETSEY, as I will not be answerable for any of her contracts.

Hamilton Elliott.

December 23, 1861.

FOREIGN INTELLIGENCE.

England.

LONDON, October 11.

PRELIMINARIES OF PEACE.

Preliminaries of Peace between the French Republic, and His Britannic Majesty, signed at London 9th Vendémiaire, 10th year of the French Republic (11 October, 1861.)

(From the MONITOR.)

The first conflict of the French Republic, in the name of French people, and his majesty the king of the United Kingdom of Great Britain and Ireland, being animated with an equal desire of putting a stop to the calamities of a destructive war, and to re-establish harmony and good understanding between the two nations, have appointed for that purpose, viz. the first conflict of the French Republic, in the name of the French people, citizen Louis William Otto, commissary for the exchange of French prisoners in England, and his Britannic majesty, Robert Banks Jenkinson, esq. (Commonly called Lord Hawkebury) one of the members of his Britannic majesty's privy council, and principle secretary of state for foreign affairs—who after duly exchanging their full powers in proper forms have agreed upon the following preliminary articles:

Article 1. As soon as the preliminaries shall have been signed and ratified, sincere friendship shall be re-established between the French Republic and His Britannic majesty by sea and land in every part of the world, and that all hostilities may immediately cease between the two powers, and between them and their allies respectively, orders shall be transmitted accordingly, to the sea and land forces with the utmost dispatch; each of the contracting parties engaging to give the necessary passports and facilities to accelerate the arrival of said orders, and to ensure their execution. It is further agreed upon, that all conquests which may be made on the part of one or the other of the contracting parties, from either of them or their allies, after the ratification of the present preliminaries shall be regarded as void, and shall be faithfully included in the negotiations which are to take place after the ratification of the definitive treaty.

Art. 2. His Britannic majesty shall restore to the French Republic and to her allies, namely, to his Catholic majesty and the Batavian Republic, all the possessions and colonies occupied or conquered by the English forces in the course of the present war, with the exception of the island of Trinidad, and the Dutch possessions in the island of Ceylon, of which island & possessions his Britannic majesty reserves to himself the complete and entire sovereignty.

Art. 3. The port of the Cape of Good Hope shall be open to the commerce and navigation of the contracting parties, who shall therein enjoy the same advantages.

Art. 4. The island of Malta, with its dependencies, shall be evacuated by the English troops and restored to the order of St. John of Jerusalem. To secure the absolute independence of that island upon the one or the other of the contracting parties, it shall be placed under the guarantee and protection of a third power, to be determined by the definitive treaty.

Art. 5. Egypt shall be restored to the Sublime Porte, the territory & possessions of which shall be maintained entirely as they were before the present war.

Art. 6. The territories and possessions of her faithful majesty shall also be maintained entire.

Art. 7. The French troops shall evacuate the kingdom of Naples, and the Roman State. The English forces shall likewise evacuate Porto Ferrajo, and generally all the ports and islands which they occupy in the Mediterranean or Adriatic seas.

Art. 8. The republic of the Seven United Islands shall be recognized by the French republic.

Art. 9. The evacuations, sessions and restitutions, stipulated by the present preliminary articles, shall be carried into execution, in Europe, within one month; on the continent and seas of Africa and America in three months; and on the continent and seas of Asia in six months.

after the ratification of the definitive treaty.

Art. 10. The respective prisoners shall immediately after the exchange of the ratification of the definitive treaty be restored in a body, and without ransom, on the reciprocal payment of the private debts which they may have contracted.

Differences having arisen respecting the payment of the subsistence of the prisoners of war, the contracting powers reserve the right of deciding this question, by the definitive treaty, according to the law of nations and the principles sanctioned by common usage.

Art. 11. In order to prevent all subjects of complaint and litigation which might arise on account of prizes made at sea after the signing of the preliminary articles, it is reciprocally agreed, that the vessels and effects which may be taken in the channel, and in the seas of the North, after the space of 12 days, from the date of the exchange of the ratification of the present preliminary articles, shall be restored on each part; that the term shall be one month from the channel and seas of the North, as far as the Canary islands inclusively, whether in the ocean or Mediterranean; of two months from the Canary islands as far as the Equator; and finally, in five months in all the other parts of the world, without an exception or any other distinction more particular with respect to the time and place.

Art. 12. All the sequestrations laid on the one part or the other on the funds, revenues and debts, of whatever kind they may be, belonging to one of the contracting powers, or to its citizens or subjects, shall be taken off immediately after the signing of the definitive treaty.

The decision of all claims between the individuals of both nations respecting all debts, property, effects, or rights whatsoever, which in conformity to the acknowledged usages and rights of nations, should be forthcoming at the epocha of peace, shall be referred to the competent tribunals, and in these cases prompt and complete justice shall be done where such claims shall be respectively made. It is agreed that the present articles shall immediately after the ratification of the definitive treaty, be applied by the contracting powers to the respective allies and individuals of their nations, under the condition of just reciprocity.

Art. 13. With respect to the fisheries on the coast of Newfoundland, and the adjacent islands, and the gulf of St. Lawrence, the two powers are agreed to replace them on the same footing upon which they were before the present war, reserving to themselves the right of making, by the definitive treaty, such arrangement as may appear just and reciprocally useful, in order to place the fisheries of both nations in the most proper state for the maintenance of peace.

Art. 14. In all cases of restitution agreed to by the present treaty, the fortifications shall be restored in the state in which they are at the moment of the signing of the present treaty, and all the fortifications constructed since the occupation of them shall remain entire.

It is further agreed, that in all the cases of concessions stipulated in the present treaty a term of three years, to date from the ratification of the treaty of definitive peace, shall be allowed to the inhabitants, of whatever description or rank they may be, to dispose of their property acquired or possessed, whether previous to or during the present war; during which term of three years they shall be at full liberty to exercise freely their religion, and to enjoy their property.

The same privileges are granted in the restored countries to all those who shall have made establishments in them of whatever kind they may be during the time that these countries were in possession of Great Britain.

With respect to the other inhabitants of the restored countries, it is agreed that none of them shall be prosecuted, disturbed, or molested in their persons or in their properties, on any pretence whatever, on account of their conduct or political opinions, or of their attachment to either of the two powers, or for any other reason, unless for debts contracted with respect to individuals, or for acts subsequent to the definitive treaty.

Art. 15. The present preliminary articles shall be ratified, and the ratifications exchanged at London, in the space of fifteen days at farthest; and immediately after the ratification, plenipotentiaries shall be appointed on both sides, who shall repair to Amiens, in order to proceed in the arrangement of the definitive treaty in concert with the allies of the contracting powers.

In witness whereof, we the undersigned plenipotentiaries of the first confol

the French republic and his Britannic majesty, by virtue of our respective full powers, have signed the present preliminary articles, and have thereto affixed our seals.

Done at London, on the 9th Vendémiaire, tenth year of the French republic—the 11th day of October, one thousand eight hundred and one.

(Signed) OTTO. HAWKESBURY.

Lexington, December 18.

KENTUCKY LEGISLATURE.

Gentlemen of the House of Representatives.

In conformity with a request made to me by his excellency Archibald Roane, Governor of the state of Tennessee, I lay before you a memorial from the legislature of that state, together with an act passed at their late session, comprehending as you will find, two objects, viz:

1st. The establishment of the boundary line between Tennessee and Virginia; and 2dly. The cession of a considerable proportion of the state of Kentucky, to the state of Tennessee.

Though my sentiments and feelings with regard to a partition of our Territory, are, I doubt not, fully in unison with your own and with those of the whole people of Kentucky—Yet, still I cannot but express the hope, that the proposition which I lay before you, will be treated with all that candour and liberality which ought to pervade the intercourse of sister Republics.

JAMES GARRARD.
Frankfort, Dec. 12.

ARCHIBALD ROANE, Governor in and L.S. over the state of Tennessee.
To all who shall see these presents Greeting:

Know YE, that in pursuance of the powers vested in me by law, I do hereby appoint John Overton Esq. a commissioner to the state of Kentucky, with full power and authority, on behalf of this state, to perform the duties required of him as commissioner, by the fifth section of an act of the General Assembly entitled "An act authorizing the Governor of this state, to appoint commissioners to settle and designate the true boundary line between this state, and the state of Virginia; and also a commissioner to go forward to the state of Kentucky, to lay before the executive thereof at their next General Assembly, a Memorial entered into by the General Assembly of this state."—To have and to hold the said appointment as commissioner to the state of Kentucky aforesaid, with all the powers, privileges and emoluments thereunto of right appertaining.

Given under my hand and seal, at Knoxville, this 14th day of November, 1801.

ARCHIBALD ROANE.
By the Governor, WM. MACLIN, Sec.

To the honorable, the General Assembly of the state of Kentucky.

Gentlemen,
The Memorial of the Legislature of the state of Tennessee, respectfully sheweth, That whereas, it hath been represented to this Legislature, that sundry of the citizens residing South of Green River, in the aforesaid state of Kentucky, have expressed a desire, from motives of convenience, to be annexed to and to become a part of this state.

And this state being anxious of obtaining a cession of territory, as well to increase her numbers, as to include the confluence of the rivers Tennessee and Cumberland into the Ohio; and as the advantages resulting from such cession, to the citizens residing South of Green River, are too obvious to require elucidation, it is only necessary on the part of this Legislature, to ask the Legislature of the state of Kentucky, how far she would be disposed to enter into the proposed measure; and do hereby Resolve on the part of this state, that each and every of the stipulations entered into between the aforesaid states, namely the state of Kentucky of the one part, and the commissioner to be appointed on the part of this state, of the other part, shall be observed in good faith as far as it respects the state of Tennessee.

Resolved, That the Governor of this state, be requested to transmit a copy of the foregoing Memorial and Resolution, to the Executive of the state of Kentucky, and request him to submit the same to the Legislature of that state.

November 14th, 1801.
WM. DICKSON,
Speaker of the House of Representatives.
JAMES WHITE,
Speaker of the Senate.

I Wm. Maclin, Secretary of the state of Tennessee, do certify that the foregoing is a true copy of the original Memorial and Resolution, deposited in the office of the Secretary of said state.

Given under my hand, this 16th day of November, 1801.

WM. MACLIN.

The President of the United States, has issued his proclamation, bearing date the 30th November, for apprehending the murderers of the Indian woman, near Knoxville, (mentioned in a former paper,) and offering a reward of one thousand dollars for each principal, and five hundred for each accessory before the fact.

TO BE SOLD

TO THE HIGHEST BIDDER,
At the late dwelling house of THOMAS CHANNES, Dec. On Come Run, Fayette County, on Tuesday, the 12th of January next,
A PART of the PERSONAL ESTATE

Of said decedent, Consisting of HORSES, CATTLE, SHEEP, HOUSEHOLD FURNITURE, and FARMING UTENSILS. The terms of sale to be made known on the day of sale.

All those who have any demands against said Estate, are requested to make them known that they may be made to discharge them; also all those indebted are requested to make payment.

BART. GRAVES, } E. C. JUNO. GRAVES, JUN. } J. C. BART. COLLINS. } 31st Fayette, Dec. 14, 1801.

LINCOLN COUNTY, GE. September Court of Quarter Sessions, 1801.

IT being suggested to the court, that the real estate of Molly Myers deceased, when divided among her representatives, will not exceed the value of thirty pounds and it also being suggested by Gideon Bolly, that he has purchased the interest of four of the representatives, and is desirous of the sale of said estate: On the motion of the said Gideon Bolly, it is ordered, that a summons issue against Lewis Myers, to Garrard county, as one of the representatives and heirs of the said Molly Myers; against Jacob Beam and Mary Myers, to Bullitt county, against Jacob Myers, Abraham Bolly and Deborah Myers, to Lincoln, as heirs of said Molly Myers, to appear here on the first day of the next February term of this court, to shew cause why the said land should not be sold, and the money arising therefrom, divided amongst the different representatives.

And it being suggested to the court, that Jacob Castler and Elizabeth his wife, and Benjamin Myers, heirs of said Molly Myers, are not inhabitants of this state; it is ordered that a copy of this order be inserted in the Kentucky Gazette for eight weeks successively, commanding them to appear here on the first day of the next February term of this court, to shew cause why the said land should not be sold, and the money arising from the sale distributed among the different representatives according to law.

A Copy: Witness THOS. MONTGOMERY, D. C. L. C. & S.

Millersburg Lead-Mine

LOTTERY.

SCHEME.

1 prize of 600 dollars, is	600
2 " 300 "	600
6 " 100 "	600
10 " 50 "	600
50 " 20 "	1000
100 " 15 "	1500
2079 " 9 & a fraction, 19000	
First and last drawn ticket,	200
100 each, }	

6000 tickets at 4 dollars each, 24,000
2,250 Prizes, 3,750 Blanks. Not two blanks to a prize.
15 per cent to be deducted from all prizes.

The object of this Lottery is to raise 3600 dollars, in order to improve and extend the Lead Mine at Millersburg, Bourbon county. When the immense advantage that will result to the community by improving this mine, (in retaining large sums of money in our own state) is taken into consideration, there scarcely can remain a doubt but that the tickets will meet with a rapid sale and the drawing commence in April next.

Managers.
WILLIAM HENRY,
THOMAS HUGHES,
DAVID FLOURNOY,
DANIEL DUNCAN,
JOSEPH DESHAU,
JOHN PICKETT,
DUVAL PAYNE,
WM. E. BOSWELL.

* * Tickets to be had of the managers. 1m&1ant

TAKEN up by the subscriber, living on the head waters of Clinch's fork, in

ONE OF THE YEAR OLD FILLY. Very much mixed with grey hairs, a small blaze beginning above the eye, and running down the face, near hind foot white; appraised to 1.75.

October 27th, 1801.

TAKEN up by the subscriber, on his own plantation, where he now resides, in Garrard county, on the waters of Paint Lick creek, about one and a half miles from the White Lick, ONE SUREL FILLY, About two years old, near thirteen and a half hands high, natural trotter, large bones in her forelegs, small white streak on her under lip, no brands perceivable, appraised to 4.60.

28th July, 1801.

ELI HOUSTON.

LEXINGTON LIBRARY.

The annual general meeting of the

SHEARERS OF THE LIBRARY,

WILL be held at the house of Mrs. M'NEAR in the town of Lexington, on the first Saturday in January next—precisely at 3 o'clock in the afternoon; when the directors and other officers of the corporation will be chosen.

Published by order of the directors. R. PATTERSON, Chm.

Dec. 8th, 1801.

Wanted Immediately, JOURNEMEN COOPERS. To whom good wages will be given—Also Two or Three APPRENTICES To the above business.

A generous price will be given for Eight or Ten Thousand STAVES; And the payment made on the delivery. For particulars apply at my shop, at the lower end of Main Street, Lexington.

William Dorsey.

Dec. 7, 1801.

NOTICE. THOSE indebted to JOHN A. SEITZ, or the late firm of SEITZ & LAUMAN, are requested to make payment to Mr. Geo. M. JOHNSON, previously to the 26th day of December next; further delays will cause compulsory measures to be taken indiscriminately.

SALT PETRE. A Quantity wanted at the store of J. A. SIETZ. Lexington, 5th Nov. 1801.

FORTY DOLLARS REWARD. STRAYED from the subscriber's plantation in Shelby county in December last a BAY MARE, fifteen hands high, well made, six years old light spring, has four white feet, a blaze in her face, paces trots and canters, branded W W on the near shoulder and buttock, was with foal, when she went away—Also, a BROWN HORSE, with a bob-tail, fourteen hands high, well made, seven or eight years old, trots and gallops, I do not recollect whether the horse was branded or not.—Whoever will deliver said mare and horse to Doct. W. Warfield in Fayette county, or to me in Shelby county, shall receive twenty dollars for each.

Nov. 1801. JOHN POPE. wwp 16.

A good BOOT & SHOE-MAKER, a SADDLER, and a TAYLOR, who can come well recommended, will meet with encouragement, at RICHMOND, (Madison court house.) 31st December 10.

TAKEN up by the subscriber on the waters of Paint Lick creek, a foal Mare, 13 hands one inch high, supposed to be seven years old, branded on the near buttock 1; a small star in her forehead, and some fiddle spots. Appraised to 1.30.

At court of Quarter Sessions, continued and held for Woodford county at the court-house thereof, on Tuesday the 3d, day of November, 1801.

John Shannon, Complainant, against Arrested Sharp, Fleming Trigg, and Pamela his wife, Malinda Sharp, Elizabeth Sharp, and Thos. Sharp, heirs of Thomas Sharp, deceased.

THE Defendant Fleming Trigg, not having entered his appearance herein according to law, and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this state. On the motion of the complainant, by his counsel, it is ordered, that the said defendant do appear here, on the first Monday in March next, and answer the complainant's bill; otherwise it will be taken for confessed—that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively; and published four Sundays, immediately after Divine service, at Hillsborough meeting house, and another copy posted at the door of the court house in this county.

Geo. Brooke, Clk.

BLANK DEEDS. On an elegant script type, for sale at this Office.

GREAT BARGAINS.

Will be sold by the Subscriber, and for a greater part, *Extensive Credits* will be given, in annual payments, the purchaser giving good bond and security: *The following PROPERTY I will sell, from this day forward, (to wit):*

VALUABLE BUILDINGS, and the Lots of ground they are on, in Paris—they begin at the Main Corner street facing the Court house, and running parallel with the public ground one hundred feet—

The first a large two story frame building, in which there is a large well finished floor house and counting room, both large fire places of brick; the other part well calculated for a tavern, six well finished rooms plastered, and four large fire places; another room, thirty-five feet by twenty, and two fire places, and within five feet of the back room door, a brick lodging room, and a kitchen adjoining. The balance of the building of brick, two stories high; with four houses, twenty feet square, rented out to different families; convenient to those are two small kitchens—there is a stable and small garden for the use of the large building. I have also nine acres of out lots in excellent order for cultivation—Those buildings were first valued by a number of workmen at eight thousand dollars; and several useful additions have been made to them since—I will now give them extremely low, and give them clear of all incumbrance.

Another property I have in Mafon county, one mile and three quarters from Limestone—two valuable overflown mills, as in high credit for manufacturing flour, as in any in the State; and are now repairing and almost done, so as to start in complete order when the season for grinding commences, with the best Burr and Alleghany stones, rolling screens &c.—Those mills in the season for grinding, can make forty barrels of flour every day that they are worked; and any person inclining to purchase, can be informed that the quality of the flour is superior to any that has been baked from Limestone. With those I will sell a valuable negro man, a good miller; the plantation of 140 acres, 120 apple trees, of fruit equal to any in the State, a fine clover and blue grass pasture and meadow, a small dwelling house and farm, with other out houses, cherry and peach orchard—the title indisputable, and I will give it clear of all incumbrance. For this property I have in two years paid nine thousand dollars.

I have also for sale, 700 acres of Military land, fourteen miles from Washington, North West of the Ohio river, with a very promising flat lick, supposed to have salt water, a small trial has been made, and some salt made by a Mr. Sherry.

I have also two small plantations in Bourbon, that I will sell—they are mostly first rate land.

I have patents for lands near Montgomery court house, of the first quality; eight thousand acres, the half of which I will sell at one third its value; the purchaser may have his choice; patented 17 years ago; entries very special.

Also the half of 600 acres of first quality, three miles from Fleming court house; old patents and special entries—on the same terms.

I have also one thousand acres for sale, adjoining lower Mackatee's tract, level, best inferior quality—for this I will take good horses at 6s per acre; the title undoubted.

I have also for sale about 300 acres, on Cedar creek, of Floyd's fork, with a never failing spring on it, a part rich land, and a part indifferent, within five miles of Mann's lick; this has excellent range and timber—for this I will take good salt at 12s per acre, if cash 9s per acre.

I have also for sale, six hundred acres, patented land, on Clover lick, eight miles from the Crab orchard—this I will take 3s per acre for in cash, or 4s 6d in horses.

If it will be an accommodation to those who may incline to purchase the mills, I will give in an excellent house woman, now living in Lexington.

I will also sell a good flock of hogs, cattle, mares and colts, with the mills.

I will give such excellent bargains in all, or any of the aforesaid property, that any person inclining to purchase, may be well accommodated. The mills I will deliver up the tenth of March next, or if sooner required, on a little more advance; they shall be given up.

Money, good Merchandise, Negroes, and Horses, will be taken by instalments, as will best suit the purchaser.

Application to my son John Edwards, jun. in Bourbon, or to Mr. David S. Brodick, in Washington, or Mr. Enoch Smith, near Montgomery court house, or James Brown, Esq. in Lexington, for information and contracts with respect to

the property, or to the subscriber, either in Bourbon or Washington, may be made.

Any of my creditors choosing to purchase, shall have on the lowest terms, as I am determined to sell.

I will fill 1000 barrels of flour, all to be delivered before the 15th of March next. And,

I have also one other plantation for sale, near Warwick, 233 acres cleared, and the title secure.

Any person purchasing the mills I will furnish with wheat at cash price, and will, if employed, engage to clear them in the sales of flour &c. this season, 2300 or 3000 do.

JOHN EDWARDS, Sen.
14th September, 1801. *3d

TAKE NOTICE,
THAT we shall attend commissioners appointed by the court of Nicholas county, at the Upper Blue Licks, on the 21st December, between the hours of ten and twelve, to take the depositions of witnesses to perpetuate testimony respecting the calls of a claim of Basil Holmes, for 15,000 acres of land, near that place.—Also the next day at the same hour, at the Mud Lick, in Fleming county, with the commissioners appointed by the court of said county, for the same purpose respecting the calls of John Peres's settlement and pre-emption, at that place.—Also on the same day between the hours of one and four, at the mouth of the Mud Lick branch in said county, to establish the calls of William Lear's 200 acres entry.—On the next day between the hours of ten and one, at Fleming court-house, and to proceed to a pond, called for in Mobley's claim of 30,000 acres, for the same purpose.—On the 28th between the hours of ten and twelve at the mouth of Little Sandy in Mafon county and proceed to the improvement of Robert Wood, and on the next day at the same hour at John Wood's improvement, with the commissioners appointed by the court of said county, to perpetuate testimony respecting the calls of their claims of 1000 acres each—and do such other things as may be necessary and agreeable to law.

*Lewis Craig,
Pittemon Toman,
John Winn,
Thomas Watts.*
Dec. 4th, 1801.

CHEAP GOODS.
Sam'l. & Geo. Trotter.
Have just received from Philadelphia, and are now opening at their STORE, on Main street, LEXINGTON, An Extensive Assortment of **MERCHANDIZE,**

Consisting of
DRY GOODS, HARD WARE, GROCERIES, CHINA, GLASS, QUEENS' & TIN WARES, ANIMALS, STEEL, NAILS, &c. &c.

Amongst which we have just opened a great variety of

Fine and Coarse CLOTHS and CASSIMERS,
FLANNELS, COATINGS, BLANKETS, &c.

KIRTS LINENS, CHINTZES & CALICOES, INDIA MUSLINS, BRITISH, PLAIN, JACONET, TAMBORED & LAPPET ditto, SCARLET CLOAKS, WOOL & COTTON CARDS, TURKEY COTTON.

A general assortment of **SADDLERY, RIPPON'S, WATTS & WESTLEY'S HYMN BOOKS, SCHOOL BOOKS, &c. &c.**

IMPERIAL, BYSON, YOUNG HYSON, GREEN, SOUSCHONG, & BOHEA

COFFEE, & CHOCOLATE, LOAF SUGAR & INDIGO.

Having bought a considerable share of the present importation at Vendue, purchasers may depend on receiving greater **BARGAINS** than any hitherto sold in this State.

* * * No credit can be given, on any conditions whatever.

Lexington, Dec. 3.

FOR SALE,
TWO STILL & A BOILER,

MADE of Copper, of superior quality. The terms will be made easy to the purchaser, and likely young Horses taken in payment. For further particulars application may be made to the Editor of this Paper.
November 4, 1801.

PRIMERS,

On an entire new plan, may be had at this office, by the hundred, dozen or single.



FRESH MEDICINE.

Just arrived from Philadelphia, at our Shop, near the Stray-Pen, Lexington, and to be sold for CASH, Fine Linen, or Flax-Seed.

Also RED CLOVER SEED,
FOR SALE.
AND W. M'CALLA & Co.

TANNERS' OIL,
FOR SALE BY
WM. STORY,
GEORGETOWN.

THREE DOLLARS REWARD.

RAN-AWAY from the subscriber, living on South Elkton Fayette county, six miles from Lexington, on the twelfth day of June, 1801, a bound white girl, named

JANE GUMPTON,
About twelve years of age; had on when she went away a striped short gown, and a linen coat. Any person that will bring the said girl home, shall receive the above reward and all reasonable expenses paid by me.
*it
Jacob Rymen.

Taken up by the subscriber, living in Jefferson county, an iron gray filly, three years old past, not branded, three round and half hands high, with a long tail, appraised at 40 dollars.
August 6, 1801. **Thos. Acres.**

NOTICE.
AN Election for Seven Trustees for the Town of Lexington, to serve the ensuing year, will be held at the Court House in said Town, on Saturday, the 2d day of January next, at 2 o'clock, in the afternoon.

ROBT. PATTERSON, Clk.
December 10, 1801.

BY YESTERDAY'S MAIL.

LONDON, October 12.
A report is current in the city, that Buonaparte has caused it to be made known to the lord mayor, that he proposes to dine with the lord mayor and city of London, on the ninth of November next.

BOSTON, November 25.
Accounts received here from Russia state that party spirit runs high in the capital of that empire:—That Constantine brother to the emperor, who is equally hated and despised by the greater part of the nation—is at the head of "a sect" devoted to France, and acted upon by the intrigues of Duroc; whereas the emperor considers the true interests of his country to consist in a forcible opposition to the introduction of French principles and manners. Of consequence his predilections are more strongly in favor of the English than the French.

ALEXANDRIA, November 28.
Arrived this morning, the schooner Harriet, Webb, Antigua, 38 days.—Captain Webb informs, that in the river he spoke the schooner Neptune, of this port, 38 days from Lisbon, the captain of which informed him, that Spain had actually DECLARED WAR against the United States. What degree of credit may be attached to this account we are uncertain; we have, however, deemed it our duty, to give, as we received it, the report of an occurrence, which, if true, is of the highest importance to our country.

BALTIMORE, December 1.
Extract of a letter from a merchant in St. Domingo, to his correspondent in this city, dated

Cape Francois, October 31.
"On the 23d about 1 o'clock in the morning this city was disturbed by the firing of some muskets; however the noise ceasing immediately, the alarm was considered as trifling by the greater part of the citizens, although those in the vicinity of the firing, partially acquainted with the cause, labored under the greatest apprehensions, and well were they founded, for a diabolical plot was laid for the extermination of all the white people during the course of that night. Thanks to heaven not a person in the city has suffered, and we are left to express our gratitude and admiration of the gallantry and consummate prudence of general Christophe, who well aware of the impending danger, exposed his own life to five ours—accompanied with a handful of men, he seized, with his own hand, three of the chief conspirators, and forced them to disclose the leading parts of the plot. Had the

general ordered the drums to beat to arms in the night, it is generally supposed that a white person would have been day light—it would have been the expected signal for murder. The 24th in the morning, we were apprized that the cultivators in the different parishes had risen in arms and were murdering all the whites without discrimination of sex or age—men of 80 years of age met with the same fate as children a month old. The troops of the line, as well as the national guard, and a corps of dragons were called to arms—a most judicious discrimination was observed in their respective dispositions—those suspected were marched out against the insurgents—the most truly kept for the guard of the city. General Christophe at the head of the army, advanced in the country, and soon found some parties of the insurgents who fled before him, but continued their cruelties as they retreated.

The number of whites killed is not exactly known, moderate people make it about 250. The parishes of Lacul, Limbe, Port Margot, Grand Boucan, Dondon, & Marmelade, have had the most victims—the insurgents offered but little resistance—their chief Joseph Flaville being imprudent as to answer some advances of general Christophe, put himself in his power and is now in jail—a great number of his accomplices have already suffered in the different parts the punishments due to the crimes, and we expect every instant severe justice here. The governor having received information at Port au Prince of the troubles marched with a corps of 5000 men, whilst general Moyse, who was also absent from the city, marched from Monticristi with a body of 2000 men, and cut off their retreat towards the coteau de Spilien part—most of the troops belonging to this city have returned, and since yesterday we have begun business.—We are informed the insurgents have mostly returned to their respective plantations, and confidence begins to revive, but I doubt much whether it will ever reach the height it had obtained.

"The design of the insurrection is pretty well ascertained—the destruction of the present government—a new organization founded on plunder and division of lands, and the annihilation of the whites.

"I have thought proper to give you as full an account of this transaction as time would permit me, that you may communicate it to your friends—the evil has been great, but no doubt will be repressed still greater, if I may judge from the terror which has prevailed here, from the unbounded suspicions which have been created, and the vague reports in circulation."

Letters received from on board La Desdemaine frigate, of 24 guns, Captain J. C. Searle, dated off Alexandria, the 26th of July state, that she had fallen in with and captured a French corvette of 10 guns and 60 men, with 10,000 in specie, to pay the French army in Alexandria, and a valuable cargo.

The late storms have done very great damage in the Baltic. More than 20 vessels are supposed to have been lost in the course of a fortnight, amongst which are two Russian men of war and an English vessel carrying horses to St. Petersburg, without a single man being saved. Every where bodies and wreck are seen floating and driving on shore."

ARMY OF ITALY.
The General in Chief, Murat, to the Minister at War.

At four in the morning of the 24th, a great number of gun boats and transports approached Fayence, and disembarked 2500 men of the regiment of Wadville, some numerous detachments of soldiers, and a small party of foreign troops. At the same instant the besieged made a sally, and got possession of our battery on the right, which had prevented the enemy's ships from entering the harbor.—General Martin permitted the enemy to advance about half a league from the beach, when, perceiving a favorable opportunity he, in his turn, attacked them with the bayonet. The adjutant commandant Sackelm attacked at the same time on the side of the city.—In an instant the enemy was completely routed. Our troops intercepted them in their retreat, & all who were not taken prisoners threw themselves among the rocks, in order to gain the boats. The frigates (which took advantage of the moment that the enemy became makers of one of our batteries to enter the port) could not get out in time. One of the frigates was disabled, and it is even asserted that the sunk.—The consequence of this affair is, 10 gun-boats captured, 200 Englishmen prisoners, and more than 1000 killed.

